

PETER S. CHRISTIANSEN, ESQ.

Nevada Bar No. 5254

pete@christiansenlaw.com

R. TODD TERRY, ESQ.

Nevada Bar No. 6519

tterry@christiansenlaw.com

KEELY P. CHIPPOLETTI, ESQ.

Nevada Bar No. 13931

keely@christiansenlaw.com

CHRISTIANSEN TRIAL LAWYERS

710 South 7th Street, Suite B

Las Vegas, Nevada 89101

Telephone: (702) 240-7979

Facsimile: (866) 412-6992

Attorneys for Plaintiff

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

SEBASTIAN SYMEONIDES, an Individual;

Plaintiff,

vs.

TRUMP RUFFIN COMMERCIAL, LLC, a Foreign Limited-Liability Company d/b/a TRUMP INTERNATIONAL LAS VEGAS and TRUMP INTERNATIONAL HOTEL & TOWER LAS VEGAS; TRUMP RUFFIN TOWER I, LLC, a Foreign Limited-Liability Company; TRUMP INTERNATIONAL HOTELS MANAGEMENT, LLC, a Foreign Limited-Liability Company; OTIS ELEVATOR CORPORATION, a Foreign Corporation; DOES I through X, inclusive; and ROE BUSINESS ENTITIES I through XX inclusive,

Defendants.

CASE NO. 2:23-cv-00854-JAD-MDC

**STIPULATION AND ORDER
REGARDING FRCP 35
PHYSICAL EXAMINATION OF
PLAINTIFF SEBASTIAN
SYMEONIDES**

///

///

///

///

///

///



1 IT IS HEREBY STIPULATED by and between Plaintiff SEBASTIAN SYMEONIDES
2 (“Plaintiff”), and Defendant OTIS ELEVATOR COMPANY and Defendant TRUMP RUFFIN
3 TOWER I, LLC, erroneously sued herein as TRUMP RUFFIN COMMERCIAL, LLC, d/b/a
4 TRUMP INTERNATIONAL LAS VEGAS and TRUMP INTERNATIONAL HOTEL &
5 TOWER LAS VEGAS; and TRUMP INTERNATIONAL HOTELS MANAGEMENT, LLC
6 (collectively, “Defendants”), that the following terms and conditions shall apply to the physical
7 examination of Plaintiff to be conducted by Jeffrey Wang, M.D., in this matter on behalf of
8 Defendants and pursuant to Rule 35 of the Federal Rules of Civil Procedure (the “examination”):

9 1. The examination shall commence on March 8, 2024 at 8:00 a.m. at Consultants
10 Medical Group, located at 2500 W. Sahara Ave., Suite 207, Las Vegas, Nevada 89102.

11 2. The duration of the examination of Plaintiff shall not exceed 1.5 hours. Dr. Wang
12 shall use his best efforts to complete the examination in 1 hour or less.

13 3. The manner and conditions for the examination shall include discussion of
14 Plaintiff’s medical history as it relates to his injuries (including causation) and current symptoms
15 and conditions.

16 4. The scope of the examination shall be limited to Plaintiff’s medical history,
17 injuries (including causation), and current symptoms and conditions.

18 5. The topics in which Dr. Wang anticipates discussing with Plaintiff include his
19 medical history as it relates to his injuries (including causation) and current symptoms or
20 conditions.

21 6. The examination shall be limited exclusively to those conditions of Plaintiff that
22 are in controversy in this litigation and to those areas of Plaintiff’s body that Dr. Wang deems
23 relevant to the conditions of Plaintiff that are in controversy.

24 7. Plaintiff retains the right to: (a) have an observer of choice present throughout the
25 examination; (b) have an interpreter present if Plaintiff believes that an interpreter is necessary to
26 facilitate communication with the examiner; and (c) take notes or appoint an observer to take
27 notes during the examination.

28



1 8. No imaging tests shall take place during the examination. Further, no physical
2 diagnostic tests or procedures that are painful, intrusive or unreasonably invasive shall be
3 permitted.

4 9. Plaintiff is not expected to appear for the examination with any diagnostic testing,
5 images or medical records. Defendant is responsible for providing any and all medical billing,
6 records and diagnostic films to be considered by Dr. Wang to his office for consideration.

7 10. Plaintiff shall not have to wait any longer than reasonably necessary (30 minutes)
8 to see Dr. Wang.

9 11. Plaintiff will complete all forms provided by Dr. Wang that relate to his medical
10 condition, history, injuries, symptoms and conditions at issue in this litigation, so long as such
11 forms are provided to Plaintiff's counsel prior to the exam. However, Plaintiff shall not answer
12 any questions which pertain to issues of liability or his relationship to Defendants.

13 12. Dr. Wang shall be provided with a copy of this Stipulation prior to the
14 examination.

15 13. The Defense shall produce to Plaintiff's counsel a copy of the report prepared by
16 Dr. Wang within 30 days after the examination, or in accordance with the applicable expert
17 disclosure deadline, whichever shall occur first.

18 14. The report prepared by Dr. Wang must be in writing and must set out in detail his
19 findings, including diagnoses, conclusions, and the results of any tests.

20 15. Plaintiff shall not pay or incur any fee in conjunction with the examination.

21 16. Plaintiff shall use his best efforts to appear at the office of Dr. Wang at the
22 scheduled examination start time.

23 17. Plaintiff shall bring and wear his contact lenses or glasses, and his prescription
24 medications and medical equipment/devices that relate to his medical condition, history, injuries,
25 symptoms and conditions at issue in this litigation, if such are required, for the examination.

26 18. Plaintiff shall be entitled to depose Dr. Wang in accordance with his fee schedule
27 and call him as a fact and/or expert witness at the time of trial, if Plaintiff so chooses. Plaintiff
28



1 shall also be entitled to introduce evidence of how Dr. Wang became involved in the case, as
2 necessary to lay the foundation for Dr. Wang's opinions.

3 19. Plaintiff intends to make an audio recording of the examination at Plaintiff's sole
4 expense, and a transcript will be created from the audio recording at Plaintiff's sole expense.

5 CHRISTIANSEN TRIAL LAWYERS

TUCKER ELLIS LLP

6 /s/ Keely Chippoletti

/s/ V. Sathienmars

7
8 PETER S. CHRISTIANSEN, ESQ.

Nevada Bar No. 5254

9 R. TODD TERRY, ESQ.

Nevada Bar No. 6519

10 KEELY P. CHIPPOLETTI, ESQ.

Nevada Bar No. 13931

11 710 South 7th Street

12 Las Vegas, NV 89101

13 *Attorneys for Plaintiff*

SU-LYN COMBS

Admitted Pro Hac Vice (Dkt. 22)

TUCKER ELLIS LLP

515 South Flower Street, 42nd Floor

Los Angeles, CA 90071

V. SATHIENMARS

Admitted Pro Hac Vice (Dkt. 21)

TUCKER ELLIS LLP

201 Mission Street, Suite 2310

San Francisco, CA 94105

Attorneys for Defendant Otis Elevator Co.

16 LEWIS BRISBOIS BISGAARD & SMITH

17 LLP

18 /s/ Yilmaz Turkeri

19 DAVID B. AVAKIAN, ESQ.

Nevada Bar No. 9502

20 YILMAZ TURKERI, ESQ.

Nevada Bar No. 15468

6385 South Rainbow Blvd., Suite 600

Las Vegas, NV 89118

Attorneys for Defendant Trump Ruffin

Tower I, LLC, erroneously sued herein as

Trump Ruffin Commercial, LLC, d/b/a

Trump International Vegas and Trump

International Hotel & Tower Las Vegas;

and Trump International Hotels

Management, LLC



ORDER

**IT IS SO ORDERED. The parties
must use the correct case number
in all future filings.**

United States Magistrate Judge

Dated: 3/5/24

CHRISTIANSEN
— TRIAL LAWYERS —



To: Turkeri, Yilmaz Yilmaz.Turkeri@lewisbrisbois.com, Keely Chippoletti keely@christiansenlaw.com
Cc: Combs, Su-Lyn su-lyn.combs@tuckerellis.com, Avakian, David David.Avakian@lewisbrisbois.com, Esther Barrios Sandoval esther@christiansenlaw.com, Aicklen, Josh Cole Josh.Aicklen@lewisbrisbois.com, Kurilla, Peggy Peggy.Kurilla@lewisbrisbois.com, rmecham@rmcmclaw.com, kvigil@rmcmclaw.com, rmcmmfiling@rmcmclaw.com, mhannemann@rmcmclaw.com, rmastrangelo@rmcmclaw.com, R. Todd Terry todd@christiansenlaw.com, JTronfeld@twdinjurylaw.com, GHerrera@twdinjurylaw.com, jrobertson@twdinjurylaw.com, jnewby@twdinjurylaw.com, Collins, Nathaniel Nathaniel.Collins@lewisbrisbois.com, Jauffret, Eric J. Eric.Jauffret@tuckerellis.com, Villegas, Stella Stella.Villegas@TuckerEllis.com, Pasynkova, Anna Anna.Pasynkova@TuckerEllis.com

Ok to e-sign with the /s/ for Otis Elevator, FYI, I did update the signature block for Otis in the attached so that you can /s/ on behalf of my law firm (vs. Rebecca's). Thanks Keely!

V. Sathienmars | Counsel | Tucker Ellis LLP
201 Mission Street Suite 2310 | San Francisco, CA 94105
Direct: 415-617-2126 | Fax: 415-617-2409 | Mobile: 818-640-7125
v.sathienmars@tuckerellis.com
tuckerellis.com | [Attorney Profile](#)

This e-mail is sent by the law firm of Tucker Ellis LLP and may contain information that is privileged or confidential. If you are not the intended recipient, please delete the e-mail and notify us immediately by return email.

From: Turkeri, Yilmaz <Yilmaz.Turkeri@lewisbrisbois.com>
Sent: Friday, March 1, 2024 12:47 PM
To: Keely Chippoletti <keely@christiansenlaw.com>; Sathienmars, Vasudhsiri T. <Vasudhsiri.Sathienmars@tuckerellis.com>
Cc: Combs, Su-Lyn <su-lyn.combs@tuckerellis.com>; Avakian, David <David.Avakian@lewisbrisbois.com>; Esther Barrios Sandoval <esther@christiansenlaw.com>; Aicklen, Josh Cole <Josh.Aicklen@lewisbrisbois.com>; Kurilla, Peggy <Peggy.Kurilla@lewisbrisbois.com>; rmccham@rmcmclaw.com; kvigil@rmcmclaw.com; rmcdfiling@rmcmclaw.com; mhannemann@rmcmclaw.com; rmastrangelo@rmcmclaw.com; R. Todd Terry <todd@christiansenlaw.com>; JTronfeld@twtdinjurylaw.com; GHerrera@twtdinjurylaw.com; jrobertson@twtdinjurylaw.com; jnewby@twtdinjurylaw.com; Collins, Nathaniel <Nathaniel.Collins@lewisbrisbois.com>; Jauffret, Eric J. <Eric.Jauffret@tuckerellis.com>; Villegas, Stella <Stella.Villegas@TuckerEllis.com>; Pasyukova, Anna <Anna.Pasyukova@TuckerEllis.com>
Subject: RE: [EXT] Re: Symeonides v Trump - Plaintiff's IME and Deposition

<<< EXTERNAL EMAIL >>>

Hi Keely,

You can add my e-signature.

Thanks.



Yilmaz E. Turkeri
Attorney
Yilmaz.Turkeri@lewisbrisbois.com
T: 702.693.4311 F: 702.366.9563

6385 South Rainbow Blvd., Suite 600, Las Vegas, NV 89118 | LewisBrisbois.com

Representing clients from coast to coast. View our locations nationwide.



This e-mail may contain or attach privileged, confidential or protected information intended only for the use of the intended recipient. If you are not the intended recipient, any review or use of it is strictly prohibited. If you have received this e-mail in error, you are required to notify the sender, then delete this email and any attachment from your computer and any of your electronic devices where the message is stored.

From: Keely Chipipoletti <keely@christiansenlaw.com>
Sent: Friday, March 1, 2024 12:22 PM
To: Sathienmars, Vasudhsiri T. <Vasudhsiri.Sathienmars@tuckerellis.com>
Cc: Combs, Su-Lyn <su-lyn.combs@tuckerellis.com>; Avakian, David <David.Avakian@lewisbrisbois.com>; Esther Barrios Sandoval <esther@christiansenlaw.com>; Aicklen, Josh Cole <Josh.Aicklen@lewisbrisbois.com>; Kurilla, Peggy <Peggy.Kurilla@lewisbrisbois.com>; Turkeri, Yilmaz <Yilmaz.Turkeri@lewisbrisbois.com>; rmecham@rmcmlaw.com; kvigil@rmcmlaw.com; rmcmfiling@rmcmlaw.com; mhannemann@rmcmlaw.com; mastrangelo@rmcmlaw.com; R. Todd Terry <todd@christiansenlaw.com>; JTronfeld@twidjnylaw.com; GHerrera@twidjnylaw.com; robertson@twidjnylaw.com; jnewby@twidjnylaw.com; Collins, Nathaniel <Nathaniel.Collins@lewisbrisbois.com>; Jauffret, Eric J. <Eric.Jauffret@tuckerellis.com>; Villegas, Stella <Stella.Villegas@TuckerEllis.com>; Pasyunkova, Anna <Anna.Pasyunkova@TuckerEllis.com>
Subject: [EXT] Re: Symeonides v Trump - Plaintiff's IME and Deposition

The final stip is attached. My firm will have to file it because it's on our pleading paper. We just need email confirmation from you and someone from David's office that it's okay to submit with your electronic signatures.

Thanks!

Keely Perdue Chippoletti
Attorney
Christiansen Trial Lawyers